

SUMMONS

Attorney(s) Russell Macnow Attorney At Law, LLC
Office Address 265 Route 34, Suite E
Colts Neck, NJ 07722
Town, State, Zip Code _____
Telephone Number (732) 780-0040
Attorney(s) for Plaintiff _____
COUNTY OF MONMOUTH,

Superior Court of
New Jersey

Monmouth COUNTY
Law DIVISION
Docket No: MON-L-1092-19

Plaintiff(s)

Vs.
STAR INSURANCE COMPANY,

Defendant(s)

From The State of New Jersey To The Defendant(s) Named Above:

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (A directory of the addresses of each deputy clerk of the Superior Court is available in the Civil Division Management Office in the county listed above and online at http://www.judiciary.state.nj.us/prose/10153_deptyclerklawref.pdf.) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$175.00 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live or the Legal Services of New Jersey Statewide Hotline at 1-888-LSNJ-LAW (1-888-576-5529). If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A directory with contact information for local Legal Services Offices and Lawyer Referral Services is available in the Civil Division Management Office in the county listed above and online at http://www.judiciary.state.nj.us/prose/10153_deptyclerklawref.pdf.

Michelle M. Brush
Clerk of the Superior Court

DATED: 04/01/2019

Name of Defendant to Be Served: STAR INSURANCE COMPANY

Address of Defendant to Be Served: 26255 American Drive, Southfield, MI 48035

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Our File No.: C1547

COUNTY OF MONMOUTH,

Plaintiff,

v.

STAR INSURANCE COMPANY,

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MONMOUTH COUNTY
DOCKET NO. MON-L-

Civil Action

COMPLAINT

Plaintiff, by way of Complaint against the defendant, hereby says:

FIRST COUNT

1. At all times relevant hereto, plaintiff, County of Monmouth, was a public entity formed in accordance with the laws of the State of New Jersey.
2. At all times relevant hereto, defendant, Star Insurance Company, was an insurance company licensed to do business in the State of New Jersey.
3. At all times relevant hereto, the policy under which plaintiff was covered by defendant, Star Insurance Company, had a \$200,000.00 self-insured retention.
4. On or about November 8, 2010, suit was instituted against the County of Monmouth by Larry Slutsky, et als, in the United States District Court for the District of New Jersey under Civil Action number 10-5331.

5. Plaintiff placed defendant, Star Insurance Company, on notice of the lawsuit on or about November 16, 2010.

6. Plaintiff retained counsel to defend itself and did effectively do so with the case against it ultimately being dismissed.

7. Notwithstanding the foregoing, plaintiff incurred legal fees and expenses in excess of the self-insured retention for which it made claim to defendant, Star Insurance Company.

8. Defendant, Star Insurance Company, breached its insurance contract with plaintiff by refusing to make payment in the amount claimed in excess of the self-insured retention as the result of which plaintiff has been damaged.

WHEREFORE, plaintiff, County of Monmouth, demands judgment against the defendant, Star Insurance Company, for compensatory damages together with attorneys' fees in accordance with R.4:42-9(a)(6), costs, prejudgment interest and such other relief as the court may deem just and proper.

SECOND COUNT

1. Plaintiff repeats, reiterates and incorporates by reference the allegations contained in Count One of the Complaint as if set forth at length herein.

2. Defendant, Star Insurance Company, refused to make payment on plaintiff's claim without a debatably valid reason and without providing written reasons therefor in accordance with the requirements of the New Jersey Unfair Claims Settlement Practices Act and the regulations promulgated thereunder as a result of which plaintiff has been damaged.

WHEREFORE, plaintiff, County of Monmouth, demands judgment against the defendant, Star Insurance Company, for compensatory damages, consequential damages together with attorneys' fees, costs, prejudgment interest and such other relief as the court may deem just and proper.

CERTIFICATION OF NO OTHER ACTION PENDING

I certify, pursuant to R. 4:5-1(b)(2), that the matter in controversy is not the subject of any other action or arbitration proceeding, nor are they contemplated, except as to the matter of Larry Slutsky, et als, v. County of Monmouth, United States District Court for the District of New Jersey, Civil Action number 10-5381. To the best of my knowledge and information, no other parties should be joined in this action.

BY: Russell Macnow
Russell Macnow, Esq.
Attorney for Plaintiff

DATED: March 25, 2019

CERTIFICATION OF REDACTION

I certify that confidential personal identifiers have been redacted from documents now submitted to the court and will be redacted from all documents submitted in the future in accordance with R.1:38-7(c)(2).

Russell Macnow
Russell Macnow, Esq.
Attorney for Plaintiff

DESIGNATION OF TRIAL COUNSEL

Pursuant to the provisions of R. 4:25-4, the Court is advised that Russell Macnow, Esq. is hereby designated as trial counsel on behalf of the plaintiff.

By: Russell Macnow
Russell Macnow, Esq.
Attorney for plaintiff

Civil Case Information Statement

Case Details: MONMOUTH | Civil Part Docket# L-001092-19

Case Caption: COUNTY OF MONMOUTH VS STAR INSURANCE COMPA NY

Case Initiation Date: 03/25/2019

Attorney Name: RUSSELL L MACNOW

Firm Name: RUSSELL MACNOW, LLC

Address: 265 ROUTE 34 SUITE E

COLTS NECK NJ 07722

Phone:

Name of Party: PLAINTIFF : County of Monmouth

Name of Defendant's Primary Insurance Company

(if known): Unknown

Case Type: OTHER INSURANCE CLAIM (INCLUDING DECLARATORY JUDGMENT ACTIONS)

Document Type: Complaint

Jury Demand: NONE

Hurricane Sandy related? NO

Is this a professional malpractice case? NO

Related cases pending? YES

If yes, list docket numbers: Civil Action Number 10-5331

Do you anticipate adding any parties (arising out of same transaction or occurrence)? NO

THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION

Do parties have a current, past, or recurrent relationship? NO

If yes, is that relationship:

Does the statute governing this case provide for payment of fees by the losing party? NO

Use this space to alert the court to any special case characteristics that may warrant individual management or accelerated disposition:

Do you or your client need any disability accommodations? NO

If yes, please identify the requested accommodation:

Will an interpreter be needed? NO

If yes, for what language:

I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with Rule 1:38-7(b)

03/25/2019
Dated

/s/ RUSSELL L MACNOW
Signed